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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Chambers

Art Unit: 2829

Serial No.: 10/649,425

Examiner: Sarkar, A.

Filing Date: 08/27/2003

Docket No.: TI-35714

Customer No.: 23494

Conf. No.: 5169

Title: STRUCTURE AND METHOD TO FABRICATE SELF-ALIGNED TRANSISTORS
WITH DUAL WORK FUNCTION METAL GATE ELECTRODES

ELECTION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAILING CERTIFICATE UNDER 37 C.F.R. § 1.8(A)
I hereby certify that the above correspondence is being deposited with the U.S. Postal Service as first Class Mail in an envelope addressed to Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450.

9-16-04
Date Marianna Smith
Marianna Smith

Dear Sir:

With respect to the Restriction Requirement mailed on 8/24/2004, the Examiner has restricted the instant application to the invention of Group I (Claims 1-14 and 18-20) or Group II (Claims 15-17). In light of this, Applicant elects Group I, (Claims 1-14 and 18-20) with traverse.

The Examiner asserts that "the product as claimed can be made by another and materially different process such as forming a single mold layer with two holes and depositing two different metals in it." Applicant submits that the materially different process proposed by the Examiner falls within the scope of claims 1-14 and 18-20 and is thus not a materially different process.

Applicant elects species I with traverse. The species restriction is unclear as both species I and species Iii are defined as the embodiment described in paragraph 21. Claims 1-14 read on species I.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Garner', with a long horizontal flourish extending to the right.

Jacqueline J. Garner
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